

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Patrick Atkinson, an individual, and )  
The God's Child Project, a North Dakota )  
nonprofit organization, )

Plaintiffs, )

James McLaughlin and )  
Roberta McLaughlin, )

Defendants. )

**ORDER RE TAKING OF  
PARTY DEPOSITIONS**

Case No. 1:03-cv-091

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Pursuant to the court's order of January 13, 2006, the parties filed briefs regarding their dispute with respect to the timing and location of the depositions of the parties. Plaintiff claims that there was an agreement between counsel that the party depositions would all be taken in Bismarck and argues that the depositions of the defendants need to be completed in March in order to meet the September trial date. Without addressing specifically the issue of whether there was an agreement, Defendants state that they are willing to travel and be deposed in Bismarck, but not until late April or May.

Based on foregoing and the legal authority cited by counsel, it is hereby **ORDERED** that the depositions of the plaintiff and the two defendants shall be taken in Bismarck, North Dakota between April 24, 2006 and May 19, 2006, on dates to be agreed upon by counsel, unless an earlier or later time frame is mutually agreed upon. The parties shall agree upon the dates for each of the depositions by March 24, 2006. If an agreement is not reached by that date, either party may contact

the chambers of the undersigned to set up a conference call at which time the court will pick the dates or issue and order granting other appropriate relief.

**IT IS SO ORDERED.**

Dated this 3rd day of March, 2006.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge